

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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Commissioner for Patents  
P.O. Box 1450  
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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01/23/2004

DORSEY & WHITNEY LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
50 SOUTH SIXTH STREET  
MINNEAPOLIS, MN 55402-1498



Certificate of Mailing or Transmission  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Richard B. Klar Reg. No. 31,385 (Depositor's name)  
\_\_\_\_\_  
(Signature)  
April 21, 2004 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,473	08/29/2001	James R. Hornsby	6871.01	6470

TITLE OF INVENTION: BUBBLE MAKING AMUSEMENT DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	04/23/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
FRANCIS, FAYE	3712	446-015000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Richard B. Klar  
2. \_\_\_\_\_  
3. \_\_\_\_\_

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE (CITY and STATE OR COUNTRY)

All Sam Toys, Inc.

Malibu, CA, U.S.A.

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee  
☒ Publication Fee  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 11-1152 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Richard B. Klar (Date) April 21, 2004  
Reg. No. 31,385

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

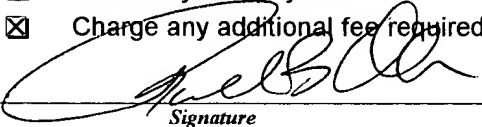
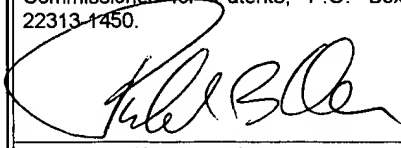
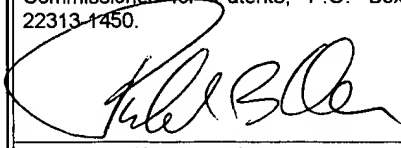
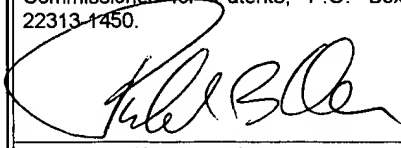
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04/27/2004 GWORDF2 00000086 09941473

01 FC:2501  
02 FC:1504

665.00 DP  
300.00 DP

TRANSMIT THIS FORM WITH FEE(S)

TRANSMITTAL OF PAYMENT OF ISSUE FEE (Small Entity) (37 C.F.R. 1.311)				Docket No. 6871.01					
Applicant(s) <b>JAMES R. HORNSBY</b>									
Serial No. 09/941,473	Filing Date 08/29/2001	Examiner Faye Francis	Group Art Unit 3712	Confirmation No. 6470					
Invention: <b>BUBBLE MAKING AMUSEMENT DEVICE</b>									
<p style="text-align: center;"><u>Mail Stop Issue Fee</u> <u>TO THE COMMISSIONER FOR PATENTS</u> <u>P.O. Box 1450</u> <u>Alexandria, VA 22313-1450</u></p> <p>Transmitted herewith are the following for the above-identified application.</p> <p><input checked="" type="checkbox"/> Issue Fee Transmittal Form PTOL-85</p> <p><input checked="" type="checkbox"/> Utility Fee: <u>\$ 665.00</u>      <input type="checkbox"/> Design Fee: _____      <input type="checkbox"/> Plant Fee: _____</p> <p><input checked="" type="checkbox"/> Publication Fee: <u>\$ 300.00</u></p> <p><input checked="" type="checkbox"/> A check in the amount of <u>\$965.00</u> is attached.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>11-1152</u> as described below.</p> <p><input type="checkbox"/> Charge the amount of _____</p> <p><input checked="" type="checkbox"/> Credit any overpayment.</p> <p><input checked="" type="checkbox"/> Charge any additional fee required.</p> <p style="text-align: center;"> Signature</p> <p>Dated: <b>April 21, 2004</b></p> <p><b>RICHARD B. KLAR, Reg. No. 31,385</b> 875 Avenue of the Americas, Suite 2301 New York, NY 10001 Tel: (212) 279-2991 Customer No.: 000042173</p>									
CC:									
<p style="text-align: center;"><b>Certificate of Transmission by Facsimile</b> This certificate may only be used if paying by deposit account.</p> <table border="1"><tr><td>I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. _____) on _____</td></tr><tr><td>Date</td></tr><tr><td>Signature</td></tr><tr><td>Typed or Printed Name of Person Signing Certificate</td></tr></table>						I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. _____) on _____	Date	Signature	Typed or Printed Name of Person Signing Certificate
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<p style="text-align: center;"><b>Certificate of Mailing by First Class Mail</b></p> <table border="1"><tr><td>I certify that this document and fee is being deposited on <u>April 21, 2004</u> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</td></tr><tr><td> Signature of Person Mailing Correspondence</td></tr><tr><td><b>RICHARD B. KLAR</b> Typed or Printed Name of Person Mailing Correspondence</td></tr></table>						I certify that this document and fee is being deposited on <u>April 21, 2004</u> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	 Signature of Person Mailing Correspondence	<b>RICHARD B. KLAR</b> Typed or Printed Name of Person Mailing Correspondence	
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 Signature of Person Mailing Correspondence									
<b>RICHARD B. KLAR</b> Typed or Printed Name of Person Mailing Correspondence									

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☐ In re application of: JAMES R. HORNSBY  
Application No.: 09 /941,473 Group No.  
Filed: 08/29/2001 Examiner: FAYE FRANCIS  
For: BUBBLE MAKING AMUSEMENT DEVICE

☐ Patent No.: \_\_\_\_\_ Issued: \_\_\_\_\_

*\*NOTE: Insert name of inventor(s) and title also for patent where notification is with respect to a maintenance fee payment, also insert application number and filing date, and add Box M. Fee to address.*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ASSERTION OF SMALL ENTITY STATUS  
(37 C.F.R. § 1.27(c)(1))

*NOTE: "To establish small entity status after the payment of the basic filing or national stage fee as a non-small entity, a written assertion of small entity status is required to be submitted." Notice of September 8, 2000, 65 Fed. Reg. 54604, at 54609.*

*NOTE: Submission of a Change of Status (small/not small entity status) after issuance of the Notice of Allowance in an application does not result in a reduction in patent term adjustment under 37 C.F.R. § 1.704(c)(10). See Notice of May 29, 2001, 1247 OG 111-112, June 26, 2001.*

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents,  
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37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10 \*  
☐ as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703)

Signature

Date: April 21, 2004

RICHARD B. KLAR  
(type or print name of person certifying)

*\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

(Assertion of Small Entity Status [7-8]—page 1 of 3)

**NOTE:** 37 C.F.R. § 1.27(c)(1): "Assertion by writing. Small entity status may be established by a written assertion of entitlement to small entity status. A written assertion must:

- (i) Be clearly identifiable;
- (ii) Be signed (see paragraph (c)(2) of this section); and
- (iii) Convey the concept of entitlement to small entity status, such as by stating that applicant is a small entity, or that small entity status is entitled to be asserted for the application or patent. While no specific words or wording are required to assert small entity status, the intent to assert small entity status must be clearly indicated in order to comply with the assertion requirement."

Applicant hereby states that applicant is a small entity and that status as a small entity is asserted for this

☒ application

☐ patent

**NOTE:** 37 C.F.R. § 1.27(c)(2): "Parties who can sign and file the written assertion. The written assertion can be signed by:

- (i) One of the parties identified in § 1.33(b) (e.g., an attorney or agent registered with the Office), § 3.73(b) of this chapter notwithstanding, who can also file the written assertion;
- (ii) At least one of the individuals identified as an inventor (even though a § 1.63 executed oath or declaration has not been submitted), notwithstanding § 1.33(b)(4), who can also file the written assertion pursuant to the exception under § 1.33(b) of this part; or
- (iii) An assignee of an undivided part interest, notwithstanding §§ 1.33(b)(3) and 3.73(b) of this chapter, but the partial assignee cannot file the assertion without resort to a party identified under § 1.33(b) of this part."

**35 C.F.R. § 1.33(b):**

(b) Amendments and other papers. Amendments and other papers, except for written assertions pursuant to § 1.27(c)(2)(ii) of this part, filed in the application must be signed byff:

- (1) A registered attorney or agent of record appointed in compliance with § 1.34(b);
- (2) A registered attorney or agent not of record who acts in a representative capacity under the provisions of § 1.34(a);
- (3) An assignee as provided for under § 3.71(b) of this chapter; or
- (4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter.

Date April 21, 2004

RICHARD B. KLAR  
(print or type name of person signing statement) (TF63>)

  
Signature

P.O. Address of signatory

875 Avenue of the Americas  
Suite 2301  
New York, NY 10001

- ☐ Inventor
- ☐ Assignee(s) of complete interest
- ☐ Person authorized to sign on behalf of assignee
- ☒ Practitioner of record under § 34(b)
- ☐ Filed under § 34(a)

Registration No: 31,385

(if applicable)

Telephone No. (212 ) 279-2991

Reg. No. 31,385

Customer No. 000042173

(complete the following, if applicable)

\_\_\_\_\_  
(type name of assignee)

\_\_\_\_\_  
Address of assignee